

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SHENZHEN TOMTOP TECHNOLOGY CO., )  
LTD., )  
ABSA PINK INC, )  
ARNON UBEN INC, )  
BORDER MOSE INC, )  
DESH DIBON INC, )  
GADY LENTLE INC, )  
JONA THEE INC, and )  
SIHON MOUNT INC, )

Plaintiffs, )

v. )

DAN XIE, )  
INNO PRODUCTS, LLC, )  
SHUTAO LIU, )

Defendants. )

**Case No. 2021 CV 03847  
JUDGE CHARLES R. NORGLÉ**

**Magistrate Judge Maria Valdez**

**DEFENDANTS’ MOTION FOR LEAVE TO FILE THEIR RESPONSE IN OPPOSITION  
TO PLAINTIFFS’ MOTION FOR RELIEF FROM JUDGMENT, TO ALTER OR  
AMEND THE JUDGMENT AND FOR LEAVE TO FILE THEIR FIRST AMENDED  
COMPLAINT**

Defendants Dan Xie and Inno Products LLC (hereafter “Xie” and “Inno” respectively), by and through their attorney, James D. Tunick and John Z. Huang, respectfully move this Honorable Court to grant them fourteen (“14”) days leave to file Defendant’s Response in Opposition to Plaintiff’s Reply in Support of their Motion for Relief From Judgment, to Alter or Amend the Judgment and for Leave to File Their First Amended Complaint pursuant to Rule 27(a)(3)(A).

1. On August 23, 2021, this Court dismissed this lawsuit for lack of subject matter jurisdiction.

2. On August 27, 2021, Plaintiffs filed a Motion for Leave to File an Amended Complaint.
3. On August 30, 2021, this Court denied Plaintiffs' Motion for Leave to File an Amended Complaint as moot.
4. On September 1, 2021, this Court entered an order that "Plaintiffs shall file a comprehensive reply in support of their motion for relief from judgement addressing all issues raised by this Court in its August 30, 2021 order and all issues raised in Defendant's Response by September 15, 2021. Further, Plaintiff's reply shall clearly demonstrate their basis for invoking the subject matter jurisdiction of this Court that has numerous parties and international citizenship."
5. On September 14, 2021, Plaintiffs filed their Reply in Support of their Motion for Relief From Judgment, to Alter or Amend the Judgment and for Leave to File Their First Amended Complaint pursuant to Rule 27(a)(3)(A).
6. Defendants would like the opportunity to submit a response to this document in order to demonstrate to this Court that its order dismissing this case for lack of subject matter jurisdiction was both legally and factually correct.

**WHEREFORE**, Defendants, Dan Xie and Inno Products LLC, respectfully requests that this Honorable Court enter an order granting Defendants Xie and Inno Products 14 days to file a response to Plaintiffs' Reply in Support of their Motion for Relief From Judgment, to Alter or Amend the Judgment and for Leave to File Their First Amended Complaint pursuant to Rule 27(a)(3)(A).

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that foregoing Defendants **DAN XIE AND INNO PRODUCTS LLC**  
**RESPONSE TO PLAINTIFFS' MOTION TO EXPEDITE DISCOVERY** was served on  
\_\_\_\_\_ in accordance with Fed.R.Civ.P.5(b)(2)(D), LR 5.5, Fed.R.Civ.P.5(e) and the  
General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF  
filers.

**s/ John Huang**

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